IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 1ST JUNE 2007 / 11TH JYAISHTA 1929

Bail Appl..No. 3184 of 2007(S)

CC.845/2006 of J.M.F.C.,TALIPARAMBA

CRIME NO.239/1997 OF THALIPARAMBA POLICE STATION

PETITIONERS/ACCUSED RANK NOT KNOWN

PARAYILAKATH SHAFEEQUE,
S/O HASSAN, PARAPPAN MOTTA,
ELAYAVOOR AMSOM, KAKKAD DESOM, KANNUR.

BY ADV. SRI.SUNIL NAIR PALAKKAT

RESPONDENTS: COMPLAINANT & STATE

THE STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 01/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J

B.A.NO.3184 of 2007

Dated this the 1st day of June, 2007

ORDER

Petitioner who is the third accused in Crime No.239/1997 of Thaliparamba Police Station for offences punishable under Sections read with section 63(a) and (b) of the Copy Right Act, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No. 845/2006 on the file of the J.F.C.M, Thaliparamba non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the

petitioner for his previous non-appearance and also considering the contention of the petitioner that the co-accused have been acquitted after trial.

With the above observation, this application is disposed of.

V.RAMKUMAR, JUDGE.

CSS